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State Real Estate Appraisers Board
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STATE REAL ESTATE APPRAISERS BOARD

PUBLIC SESSION MINUTES

FEBRUARY 24, 2015

The regular meeting of the Board of Real Estate Appraisers was held at 124 Halsey Street on the 3RD Floor on Tuesday, **FEBRUARY 24, 2014**. The meeting was convened in accordance with the provisions of the Open Public Meeting Act. Board President Mr. Palumbo called the meeting to order at 9:30 A.M. A roll call was taken and the following attendance was recorded for these minutes:

John A. McCann	Present
Barry J. Krauser	Excused
Cheryl A. Randolph-Sharpe	Excused
Joseph Palumbo	Present

Also, present were: Steven Flanzman, Senior Deputy Attorney General; Barbara Lopez, Deputy Attorney General; Charles Kirk, Acting Executive Director; Emilio Aviles, staff and Judith Nadal, staff.

IT IS NOTED THAT THE BOARD CONDUCTED THIS MEETING AS A COMMITTEE, WHEREAS, THERE WAS NO QUORUM. THEREFORE, THE COMMITTEE WILL BE MAKING PRESENTING THEIR RECOMMENDATIONS TO THE FULL BOARD AT THE NEXT BOARD MEETING.

APPROVAL OF MINUTES OF TUESDAY, NOVEMBER 25, 2014

Following review and discussion by the committee of the Board a recommendation was made that the minutes of November 25, 2014 be approved. Said recommendation is to be presented to the Full Board for ratification at the next meeting.

DIRECTOR'S REPORT

Acting Executive Director, Mr. Charles Kirk made the following announcements:

*** There was one Investigative Inquiry scheduled for this meeting.

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CONTINUING EDUCATION

PROVIDER		COURSE TITLE	HOURS
Appraisal Institute	(1)	Two Day Advanced Income Capitalization - A	14 Hrs of C.E. & 15 Hrs of Pre-Lic.
	(2)	Two Day Advanced Income Capitalization - B	14 Hrs. Of C.E. & 15 Hrs. Of Pre-Lic.
	(3)	Contract or Effective Rent: Finding the Real Rent	4 Hrs of C.E.
American Society of Farm Managers and Rural Appraisers	(1)	Basic Appraisal Procedures	28 Hrs. Of C.E. & 30 Hrs. Of Pre-Lic.
Allterra Group, LLC	(1)	Basic Charts and Graphs	5 Hrs. Of C.E.
Delaware Chapter of the Appraisal Institute	(1)	Real Estate Finance, Value & Investment Performance	7 Hrs. Of C.E.
	(2)	Creating Real Estate Value	2 Hrs. Of C.E.
Loomis Appraisal Company	(1)	The Appraisal of Historic Residences	7 Hrs. Of C.E.
	(2)	The Well Documented Appraisal Report	5 Hrs. Of C.E.
Northeast NJ Chapter of the Appraisal Institute	(1)	2015: A Year of Change for CRE	2 Hrs. Of C.E.
Metro NJ Chapter of the Appraisal Institute	(1)	The Approval Process for Real	2 Hrs. Of C.E.
NJ-NAIFA	(1)	Understanding and Using Comparable Transactions	7 Hrs. Of C.E.
McKissock	(1)	Work File: Your Best Defense Against an Offense	5 Hrs. Of C.E.

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Amerival	(1)	2015 NJ National Assoc. Of Independent Fee Appraisers Conference - Day 1	7 Hrs. Of C.E.
	(2)	2015 NJ National Assoc. Of Independent Fee Appraisers Conference - Day 2	7 Hrs. Of C.E.
NAIFA	(1)	Understanding & Using Comparable Transactions	7 Hrs. Of C.E.
	(2)	Residential Appraising in a Changing Market	7 Hrs. Of C.E.
McKissock	(1)	Mold, Pollution and the Appraiser	2 Hrs. Of C.E.
	(2)	Relocation Appraisal and the new ERC Form	6 Hrs. Of C.E.
	(3)	Deriving and Supporting Adjustments	7 Hrs. Of C.E.
	(4)	Introduction to the Uniform Appraisal Dataset	2 Hrs. Of C.E.
	(5)	Basic Appraisal Procedures	27 Hrs. Of C.E. & 30 Hrs. Of Pre-Lic.
Appraisal Institute	(1)	Advanced Market Analysis and Highest and Best Use	32 Hrs. Of C.E. & 35 Hrs. Of Pre-Lic.
	(2)	General Appraiser Income Approach, Part 1	27 Hrs. Of C.E. & 30 Hrs. Of Pre-Lic.
	(3)	The Appraiser as an Expert Witness: Preparation & Testimony	15 Hrs. Of C.E. & 16 Hrs. Of Pre-Lic.
	(4)	Litigation Appraising: Specialized Topics & Applications	15 Hrs. Of C.E. & 16 Hrs. Of Pre-Lic.
	(5)	Online Data Verification Methods	5 Hrs. Of C.E.
	(6)	Online Advanced Internet Search Strategies	7 Hrs. Of C.E.
	(7)	General Appraiser Site Valuation & Cost Approach	28 Hrs. Of C.E. & 30 Hrs. Of Pre-Lic.

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	(8)	Online Residential Sales Comparison & Income Approach	28 Hrs. Of C.E. 30 Hrs. Of Pre-Lic.
	(9)	Valuation of Conservation Easements	31 Hrs. Of C.E. 33 Hrs. Of Pre-Lic.
	(10)	General Appraiser Income Approach, Part 2	27 Hrs. Of C.E. 30 Hrs. Of Pre-Lic.
	(11)	General Appraiser Market Analysis And Highest and Best Use	28 Hrs. Of C.E. & 30 Hrs. Of Pre-Lic.
	(12)	Online Real Estate Finance, Statistics and Valuation Modeling	14 Hrs. Of C.E. & 15 Hrs. Of Pre-Lic.
Van Education	(1)	Basic Appraisal Principles	29 Hrs. Of C.E. & 30 Hrs. Of Pre-Lic.
	(2)	Basic Appraisal Procedures	29 Hrs. Of C.E. & 30 Hrs. Of Pre-Lic.
	(3)	Residential Site Valuation & Cost Approach	14.5 Hrs. Of C.E. & 15 Hrs. Of Pre-Lic.
	(4)	Appraisal Subject Matter Electives	19 Hrs. Of C.E. & 20 Hrs. Of Pre-Lic.
	(5)	Fundamentals of Commercial Real Estate	7 Hrs. Of C.E.
	(6)	Planning 101	5 Hrs. Of C.E.
	(7)	Residential Environmental Hazards Screening	7 Hrs. Of C.E.
	(8)	Yield Capitalization (Discounting)	4 Hrs. Of C.E.
	(9)	URAR	7 Hrs. Of C.E.
ASFMRA	(1)	Appraisal Review Under Uniform Appraisal Standards for Federal Land Acquisition	16 Hrs. Of C.E.

Following review and discussion by the committee of the Board a recommendation was made that the C.E. Courses and Renewals listed above did meet the established criteria for the designated approved hours and that they be approved as noted above. Said recommendation is to be presented to the Full Board for ratification at the next meeting.

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APPRAISAL FOUNDATION

- *** **Foundation News - - -** The Appraisal Foundation Appoints New Officers and Members to the Board of Trustees, Appraisal Standards Board, Appraiser Qualifications Board and Appraisal Practices Board.

The committee of the Board reviewed, discussed and duly noted the above item.

RULES, ADOPTIONS and LEGISLATION

- *** **For consideration at this meeting was the Draft Adoption Notice for the State Board of Real Estate Appraisers.**

Regulatory Analyst, Rachel Glasgow appeared before the Board regarding the draft adoption notice seeking approval to adopt same. Following review and discussion by the Board and upon motion of Mr. McCann, seconded by Mrs. Sharpe (Mrs. Sharpe joined the Board through phone conference regarding this matter) a determination was made that the New Rules be adopted. A vote was taken and the motion was carried, unanimously.

- *** **Assembly, No. 1456, State of New Jersey, 216th Legislature re: “Requires taxpayer to provide certificate of merit setting forth estimated true value of certain property which is subject to count tax appeal”**

This matter was tabled for review and discussion at the next board meeting.

- *** **Assembly, No. 3351, State of New Jersey, 216th Legislature re: “Requires taxpayer appealing assessment of real property assessed at more than \$1 million to file an appraisal within 90 days of filing the appeal” - - - see copy attached.**

This matter was tabled for review and discussion at the next board meeting.

DISCIPLINARY MATTERS

***** IMO - ANDREA SENATORE** - Consent Order Filed November 25, 2014 imposing:

- ***** Formal Reprimand
- ***** \$1,000.00 Civil Penalty
- ***** \$232.50 in Costs
- ***** Successful completion of the 15 Hour Residential Market Analysis and Highest and Best Use Course
- ***** Successful completion of the 15 Hour Residential Report Writing and Case Studies Course

The Committee of the Board reviewed, discussed and duly noted the above Order.

***** IMO - MARLIN COSME** - Final Order of Discipline Filed December 4, 2014 regarding Ms. Cosme's Failure to cooperate with the Board's request in a timely manner imposing:

- ***** \$1,000.00 Civil Penalty

The Committee of the Board reviewed, discussed and duly noted the above Order.

***** IMO - MARLIN COSME** - Provisional Order of Denial of Certification imposing:

- ***** Provisional denial of Ms. Cosme's application to be a State Certified Residential Real Estate Appraiser
- ***** Board will not entertain any application from Ms. Cosme for a minimum of three years from the date of filing the Final Order of Discipline.

It is noted that no response is yet to be received of from Ms. Cosme, therefore, following review and discussion by the committee of the Board a determination was made that the Provisional Order of Denial of Certification be finalized. Said recommendation is to be presented to the full board at the next board meeting for ratification.

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*** **IMO - SCOTT C. SUTERA** - Final Order of Discipline Filed January 5, 2015 regarding the compliance with the continuing education imposing:

*** \$2,500.00 Civil Penalty

The Committee of the Board reviewed, discussed and duly noted the above Order.

*** **IMO - ADAM J. WEBER** - Final Order of Discipline Filed January 5, 2015 regarding the compliance with the continuing education imposing:

*** \$750.00 Civil Penalty

The Committee of the Board reviewed, discussed and duly noted the above Order.

*** **IMO - JOHNNY R. DAVID** - Final Order of Discipline Filed January 5, 2015 regarding the compliance with the continuing education imposing:

*** \$2,500.00 Civil Penalty

The Committee of the Board reviewed, discussed and duly noted the above Order.

*** **IMO -- ROBERT JOHNSON** - Provisional Order of Discipline Filed February 20, 2015 imposing:

** Provisional suspension of license until he provides proof of completion of the 28 hours of continuing education.

** \$3,5000.00 Civil Penalty

The Committee of the Board reviewed, discussed and duly noted the above Order.

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***** IMO -- EDWARD G. IRELAND, III - Provisional Order of Discipline**
Filed February 20, 2015 imposing:

**** Provisional suspension of license until he provides proof of
completion of the 28 hours of continuing education.**

**** \$3,5000.00 Civil Penalty**

**The Committee of the Board reviewed, discussed and duly noted the above
Order.**

***** IMO -- MATTHEW S. ALMEIDA - Provisional Order of Discipline**
Filed February 20, 2015 imposing:

**** Provisional suspension of license until he provides proof of
completion of the 28 hours of continuing education.**

**** \$2,5000.00 Civil Penalty**

**The Committee of the Board reviewed, discussed and duly noted the above
Order.**

***** IMO -- WILLIAM E. RYAN - Provisional Order of Discipline Filed**
February 20, 2015 imposing:

**** Provisional suspension of license until he provides
proof of completion of the 2 hours of continuing
education.**

**** \$750.00 Civil Penalty**

**The Committee of the Board reviewed, discussed and duly noted the above
Order.**

***** IMO -- PATRICK F. DEVINCENTIS - Provisional Order of Discipline**
Filed February 20, 2015 imposing:

**** \$750.00 Civil Penalty**

**The Committee of the Board reviewed, discussed and duly noted the above
Order.**

OTHER

- *** For discussion by the Board, the following Inquiry was made by a member of the Public through the Real Estate Appraisers Board website:**

“Just would like you to know that last week while I was taking comp photos I was greeted by a neighbor with a gun as to why I am taking photos of his friends house. Then just today, another person at the home I was suppose to photograph was outside with his dog and would not let me and he became verbal and aggressive. ARE COMP PHOTOS REALLY NECESSARY! I am tired of these type of instances. We have so many online and aerial views of the subject property, appraisers should not have to still be required to take these photos. Times have changed. Please email me back your thoughts. Also, the one appraisal was FHA and I could not get a photo of this particular house. I do not think I should get in trouble for this, but how can I prove it! Comp photos are a thing of the past and a waste of time in my opinion, now they are jeopardizing my well being. I do not like be greeted with a firearm and almost getting into a fight for a comp photo that looks exactly like the mls photo.”

Following review and discussion by the committee of the Board a determination was made that the individual be advised that “comp photos” are not a USPAP requirement and more a requirement made by the client. Therefore, that they are to reach out to their client and inquire if “comp photos” are required for the assignment. Said recommendation is to be presented to the Board at the next board meeting for ratification.

- *** Presented to the Board was a copy of the 2014 State Real Estate Appraiser Board statistics regarding the National Exam to become an Appraiser.**

The committee of the Board reviewed, discussed and duly noted the above item.

- *** Presented to the Board was a copy of the National Uniform Licensing and Certification Examination Pass Rates for 2008 though 2014.**

The committee of the Board reviewed, discussed and duly noted the above item.

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***** Presented to the Board was a copy of FAQ's regarding the Supervisory Appraiser/Trainee Appraiser Course which is effective as of January 1, 2015.**

The committee of the Board reviewed, discussed and duly noted the above item.

PENDING APPLICATIONS

License Residential

Susan P. Davidson

Certified Residential

Sue Ann Bagarozza
Alexander H. Marcopul
Kathleen E. Oberski

Sharon Hutto
Patrick McIntosh
Louis Principato

Certified General

Colin J. Coghlan
Walter T. Duran
Dana M. Lama-Boyle
Colby A. Scruggs

Christopher B. Dollard
Daniel M. Garzone
Thomas A. Lyons

Following review and discussion by the committee of the Board a determination was made that the above noted candidates did meet the established criteria for Licensure and that their applications be approved. Said recommendation is to be presented to the full board at the next meeting for ratification.

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PUBLIC COMMENT

Catherine Best and Robert Russo of the Appraisal Community addressed the Board with issues of mutual concern.

ADJOURNMENT

A recommendation was made by the committee of the Board that the Public Meeting be adjourned at 11 A.M. and the committee proceed to the Executive Session.

Respectfully submitted,

CHARLES F. KIRK
For the Board